

U.S. Application No. 09/620,919, filed July 21, 2000
Attorney Docket No. 13470US02
Amendment dated June 11, 2009
Accompanying Request for Continued Examination (RCE) filed June 11, 2009

REMARKS

Applicants gratefully acknowledge the indication by the Examiner that claims 192-220 were allowed in the Notice of Allowance mailed June 11, 2009.

Although Applicants and the Examiner agreed that the present application is a regular continuation application (i.e., a “continuation of a reissue application”) and **not** a reissue application (i.e., a “continuation reissue application”) for reasons as previously set forth in the record (see also, e.g., M.P.E.P. § 1451), the Notice of Allowance still erroneously indicated that the present application is a reissue application.

Applicants filed a petition to correct the error; however, as of June 11, 2009 (i.e., the deadline by which to pay the issue fee), the Office of Petitions has yet to respond to Applicants’ petition.

Accordingly, to keep the present application pending, Applicants have filed a request for continued examination (RCE) and an accompanying amendment.

If it is appropriate for the Examiner, on behalf of the USPTO, to reclassify the application as a continuation of a reissue application (instead of a “continuation reissue application” as set forth in M.P.E.P. § 1451) with the filing of the RCE, Applicants respectfully request that such action be taken.

In the accompanying amendment, Applicants have added a new independent claim 221 and new dependent claims 222-224.

Although Applicants have filed an RCE and an Amendment adding new claims, if appropriate, the Examiner might consider waiting for the decision with respect to Applicants’ petition filed with the Office of Petitions before mailing any subsequent office action on the merits since such a decision might affect the Examiner’s analysis.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

/Michael T. Cruz/

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